

BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550

IN THE MATTER OF)	DATE: July 7, 2004
)	
Bruce A. Cowan)	DOCKET NO.: 03F-010
Deputy Fire Chief (Former))	
D.C. Fire and Emergency Medical)	
Services Department)	
196 Snead Road)	
Fayetteville, Georgia 30215)	

ORDER

This matter came before the Office of Campaign Finance based upon respondent's motion for reconsideration (Motion) of the Order of the Director issued on September 24, 2003. On September 24, 2003, the Director entered an Order in this matter which imposed a fine of \$2,000.00 for failure to timely file a Financial Disclosure Statement on or before June 19, 2003 for calendar year 2002. On September 25, 2003, respondent filed the Motion.

Summary of Evidence

In the Motion, respondent states that he received the Notice of Hearing, Statement of Violations and Order of Appearance from OCF, and that his Financial Disclosure Statement was filed late due to its mailing to a former address in Washington, DC. Respondent has resided in Georgia since his employment terminated with the DC Fire Department in February 2003. Respondent filed a fully executed Financial Disclosure Statement dated August 30, 2003 with OCF on September 25, 2003.

Findings of Fact

Having reviewed the respondent's motion and the record herein, I find that:

1. Respondent's employment with the District Government terminated in February 2003, and he currently resides in Georgia.
2. OCF sent reminder notices to respondent at his former Washington, DC address.

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3. Respondent's address of record was provided to OCF by respondent's agency, which notified OCF of respondent's change of address.
4. Respondent's explanation for the filing delinquency is credible in that OCF sent notices to respondent's former address.
5. Respondent filed a fully executed Financial Disclosure Statement dated August 30, 2003 with OCF on September 23, 2003.
6. Respondent is currently in compliance with the statute.

Conclusions of Law

1. Pursuant to the Order In the Matter of: Bruce A. Cowan, a fine in the amount of \$2,000.00 was imposed upon respondent herein.
2. In accordance with 3 D.C.M.R. §3711.5 (1999), respondent appealed this matter.
3. Respondent violated D.C. Official Code §1-1106.02.
4. For good cause shown pursuant to 3DCMR §3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. Respondent's explanation for failing to timely file constitutes good cause for suspension of the fine.

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director suspend the imposition of the fine in this matter.

Date

**Jean Scott Diggs
Hearing Officer**

Concurrence (check spacing)

In view of the foregoing, I hereby concur with the Recommendation.

Date

**Kathy S. Williams
General Counsel**

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine in this matter be hereby suspended.

Date

Cecily E. Collier-Montgomery
Director

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order.

NOTICE

Pursuant to 3DCMR §3711.5 (1999), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 420, 2000-14th Street, N.W., Washington, D.C. 20009.